

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

Serial No.: Not yet assigned)
 Filed: September 30, 2003)
 For: NASAL MASK)
 Applicant: Gradon et al.)
 Examiner: Not yet assigned)
 Art Unit: Not yet assigned)
 Attorney Ref: 1171/39402A/98A-CON)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450 on:

September 30, 2003
 Date

Tiffany E. Sexton
 Tiffany E. Sexton

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Arlington, VA 22313-1450

Sir:

In accordance with Applicant's duty of candor under 37 C.F.R. §1.56 and in compliance with 37 C.F.R. §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Information Disclosure Statement and Form PTO-1449.

EP 0 958 841 is not in the English language. It is relevant in that it discloses an invention that relates to an improved respiration mask which comprises a main body for the mask, a respiration tube and a securing means for securing the mask on the head of a patient. The securing means has two securing bands that are attached with each other over an attachment area, whereby the first has a loop on at least one of its ends, which is hookable on a hook provided on the main body of the mask, and the second holds the main body of the mask on the head of the patient at least one additional point. Alternately, the main body of the mask can be designed so that the inhalation tube can be connected at any of at least two connection points as desired, and the connection point that is not used is closed with a closing element.

WO 98/48878 is also not in the English language. It is relevant in that the invention relates to a breathing mask used in a CPAP system, comprising one or several of the following devices: a) fixing device enabling the breathing mask to be placed at less pressure on the wearer's face with a securing strap (32); b) a sound-proof air outlet (2); c) an air-feed connecting

element (40); d) a mask seal which seals the mask to the wearer's face without damaging the skin.

This Information Disclosure Statement is being filed concurrently with the Continuation patent application and constitutes a bona fide attempt to comply with 37 C.F.R. §1.97 and §1.98.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

Should the Examiner believe a fee is required, the United States Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated: Sept 30, 2003

By: 

Raiford A. Blackstone, Reg. No. 25,156
Linda L. Palomar, Reg. No. 37,903
Trexler, Bushnell, Giangiorgi,
Blackstone & Marr, Ltd.
105 W. Adams Street, 36th Floor
Chicago, Illinois 60603
(312) 704-1890

